

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

CAMDEN COUNTY, GEORGIA,)
Plaintiff,)
v.) CIVIL ACTION NO.
LEXON INSURANCE COMPANY,)
Defendant.) _____

NOTICE OF REMOVAL

TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, Defendant Lexon Insurance Company
hereby files this Notice of Removal, showing this Honorable Court as follows:

1.

An action has been commenced against Defendant in the Superior Court of Camden
County, State of Georgia, styled *Camden County, Georgia v. Lexon Insurance Company, Civil
Action File No. 14V11 SSN*. True and correct copies of all process, pleadings, and orders served
on the Defendant, specifically including copies of the Complaint and Summons, are attached
hereto as Exhibit A. There were no motions pending in this matter in the Superior Court of
Camden County at the time of removal.

2.

The Summons and Complaint were served upon Lexon Insurance Company on January
14, 2014. This Notice therefore is timely under 28 U.S.C. § 1446(b).

3.

This Court has diversity jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a).

4.

Based on the allegation in the Complaint, Plaintiff is a body corporate and politic authorized by and organized pursuant to Article IX, Section I, *et seq.*, of the State of Georgia Constitution, and is therefore a citizen of Georgia for purposes of jurisdiction. *See* Complaint at ¶ 1. Lexon is a foreign corporation organized and existing under the laws of Texas, with its principal place of business located in Louisville, Kentucky. Lexon was not a citizen of the State of Georgia at the time of, or immediately prior to, the filing and service of this lawsuit or anytime thereafter.

5.

Based on the allegations in the Complaint, the amount in controversy exceeds \$75,000.00, exclusive of interest and costs because Plaintiff claims it is entitled to recover damages “in excess of \$16,412,467.50” from Lexon. *See* Complaint at ¶¶ 38-39.

6.

A Notice of Filing Notice of Removal, together with a copy of this Notice of Removal, will be filed on this same date with the Clerk of the Superior Court of Camden County, Georgia, and served on counsel for Plaintiff. A true and correct copy of the Notice of Filing Notice of Removal is attached hereto as **Exhibit B**.

WHEREFORE, Defendant hereby petitions to remove this case from the Superior Court of Camden County, Georgia, to the United States District Court for the Southern District of Georgia, Brunswick Division.

Respectfully submitted this 10th day of February, 2014.

s/ Jeremy W. Gregory

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Attorneys for Lexon Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that on this the 10th day of February, 2014, I electronically filed the foregoing **Notice of Removal** with the Clerk of the Court using the CM/ECF system and service will be perfected upon the following. Additionally, a copy of the foregoing has been placed in the U.S. Mail postage prepaid to the following:

G. Todd Carter
Garret W. Meader
Brown, Readdick, Bumgartner,
Carter, Strickland, & Watkins, LLP
P.O. Box 220
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s/ Jeremy W. Gregory
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